

“D.C. Opportunity Scholarship Program: Preserving School Choice for All”  
Chairman Joe Lieberman  
May 13, 2009

Good morning and welcome to this hearing of the Senate’s Homeland Security and Governmental Affairs Committee. This morning we are considering the “District of Columbia Opportunity Scholarship Program: Preserving School Choice for All,” as we describe it. It struck me as I walked over here that this is a program in the multi-trillion dollar federal budget that is small in dollar numbers but it arouses large interest, and I think it raises big hopes in the hearts and minds of the parents and the children who are involved in that program and it’s in that spirit that we hold this hearing today.

I want to first answer the question, why is this committee holding the hearing, because it may not be entirely obvious. It’s not because Senator Collins and I happen to support the District of Columbia’s Opportunity Scholarship Program (OSP), although we do. It’s because first, the Homeland Security and Governmental Affairs Committee has had jurisdiction over matters related to the District of Columbia. So for instance, earlier this year we reported out the bill that would give District residents for the first time voting representation in the House of Representatives. Later this afternoon the committee is holding hearings on the President’s nomination of two people to be on the Superior Court of the District of Columbia. So, this happens to be the D.C. related committee.

Secondly, during the vote on the District of Columbia's Voting Rights Bill, a few senators submitted legislation to continue the authorization of the Opportunity Scholarship Program for a period of years. This promised to put the bill into gridlock and give everyone a difficult choice to make. A compromise was worked out in which the Majority Leader, Senator Reid, said that if those who had offered the amendment would withdraw it at this time, he would pledge to give floor time to the consideration of the Opportunity Scholarship Program this spring, at the latest early summer. I pledged, with Senator Collins' consent and agreement, to hold this hearing, the hearing we are holding today, that's why we're here.

The third thing I want to say at the outset is that, although I have supported this program right from the beginning, and Senator Collins does as well, we wanted this hearing to be fair - a fair and open consideration of the pros and cons of the District of Columbia Opportunity Scholarship Program. We wanted to be able to hear from advocates and opponents of the Opportunity Scholarship Program. I do want to state for the record that we invited no less than six witnesses to give come and testify about their alternative perspectives on this program and not a single one accepted our invitation. I say that with regret, because I wanted to hear both sides.

We will hear from the principle investigator from the firm that the Department of Education chose to do an independent evaluation of this program and he comes with, as far as I know, no particular bias.

Now let me just go to the history of the program, to tell us all how we got to where we are. The D.C. Opportunity Scholarship Program was authorized by the District of Columbia School Choice Incentive Act of 2003, passed by Congress in January 2004 as part of the Consolidated Appropriations Act of 2004, Public Law 108-199 (Title III of Division C of the Act). The Act provided new funding, in equal parts, for D.C. public schools, charter schools, and scholarships. The findings under the law state that “available educational alternatives to the public schools are insufficient, and more educational options are needed. In particular, funds are needed to assist low-income parents to exercise choice among enhanced public opportunities and private education environments...”

The purpose of the OSP program is to provide low-income parents residing in the District, particularly parents of students who attend elementary or secondary schools indentified for improvement, corrective action, or restructuring, with expanded opportunities for enrolling their children in private schools in the District. The Act directed the Secretary of Education to award a grant for up to five years to an eligible entity to operate the program. The Washington Scholarship Fund (WSF) was chosen as the first grantee of the program. Under the

OSP annual scholarships of up to \$7,500 per child are awarded to children from low-income families to attend private schools in the District.

Funds appropriated for the program have been sufficient to support between 1,613 and 2000 students. The Act also mandated that an independent evaluation of the program be conducted to assess academic and non-academic outcomes, using the strongest possible research design for determining program effectiveness. The study was conducted by contract for the Institute of Education Sciences (IES). The most recent IES study was released April 3, 2009, and found that the program produced a statistically significant positive impact on reading. The study also found that for parents, the program had a positive impact overall on school satisfaction and perceptions of school safety.

The Omnibus Appropriations Act of 2009, which became Public Law 111-8 on March 11, 2009, included funds for the OSP program for the 2009-2010 school year. The Omnibus bill also imposed certain requirements on the OSP program, and included a proviso stating that no funds after that school year would be available for the OSP program unless a reauthorization bill is passed by Congress, and there is legislation from the District of Columbia approving such reauthorization. Thereafter, the Department of Education decided that no new applicants could be accepted for the 2009-2010 school year, and on April 9, letters were sent to the 630 students that had applied for vouchers for this September,

including the 182 children who had already been informed that they would receive a scholarship, that the program was going to end. On May 6, 2009, President Obama announced that he would support a proposal to allow current students to remain in the program through graduation, but not new students.

That I suppose is a step forward, but with all due respect, in my opinion, it's simply not enough. If the Opportunity Scholarship Program is not working, it should be terminated for all children. If it is working well enough for the children who are continuing in the program until they graduate from school, then it should also be continued for new generations of students.

The question I think to be asked of the OSP program and any school program should be whether it works, whether it improves the educational performance of the students involved? That's not a Democratic or Republican question, or even an Independent question. It's not a liberal or conservative question. It is a factual question based on factual information including professional evaluations and test scores.

For the D.C. Opportunity Scholarship Program, my conclusion is that it works. It certainly works well enough to keep it going for new students. I've based that conclusion on the report of the independent evaluator, Patrick Wolf, who we'll hear from today to tell us that under the most rigorous studies this program is

generating statistically effective educational achievement, and that's no small accomplishment. Most experimental or innovative education programs funded by the federal government, state government, or private philanthropies do not show statistically significant results. In fact, of the 11 programs studied under similarly rigorous procedures to those applied to the D.C. Opportunity Scholarship Program, only three of 11 showed statistically significant results. So the analysis of the D.C. Opportunity Scholarship Program stands out in sharp relief. It's a successful educational reform program and certainly one that should be continued.

Those who can afford to send their children to private schools when they are dissatisfied with the public schools their children would otherwise go to, do so for obvious reasons: to provide their children with the best education available. They do so as good parents who care about their children's future. Why should we deny that opportunity to lower income parents who also want the best future for their children?

In America it should not be a privilege for any of our children to get a first rate education. In my opinion it is a right, although often a right that is not honored. Without an equal education for all there cannot be equality for all, the kind of equality that our founding documents promised.

I'm going to go back to one of my political heroes, former Vice President Hubert Humphrey, who observed that the "moral test of government is how that government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; and those who are in the shadows of life, the sick, the needy and the handicapped."

In D.C. today, we must not allow the twilight to fall on a program that is clearly serving those in the dawn of life. And we cannot allow the shadows to fall on the dreams that nurtured that program in the children and parents who are today a part of it.

I look forward to an informative and productive discussion. Senator Collins?